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comparison of the handwriting of a disputed document with handwriting admitted to be genuine may not be made in Pennsylvania by experts.

This rule of law was superseded nearly two years since by a statute allowing such comparison [P. L. 1895, page 69], which enactment should have been noted both for purpose of practice and to show the tendency of legislation on the subject.

*D. P. H.*

THE LAW OF EVIDENCE. By BURR W. JONES, of the Wisconsin Bar. San Francisco: Bancroft-Whitney Company. 1896.

"My primary object," writes the author in the preface, "has been to furnish a convenient text-book for tried lawyers, stating tersely the rules of law which govern in the trial of civil cases." Viewed from this standpoint the work which Mr. Jones has brought to the profession is a valuable one. A busy lawyer can reach, by means of a most complete index, the law of evidence clearly stated, the latest authorities, and many references to the annotated cases and articles in the legal reviews. Moreover, the ground prescribed is fully and ably covered, although it is to be observed that if the scope of the book is, as the author says, "the rules of law which govern in the trial of civil cases" only, a discussion of Dying Declarations, the Right to Inspection of the Person and of Articles in Criminal Cases, and the Rights of Accused Persons to Refuse to Testify, is out of place. Having, however, enlarged the scope of the book to admit of a consideration of these subjects one would expect to find a statement of the law relating to Confessions, which title is dismissed by Mr. Jones as "belonging more properly to the criminal law."

The arrangement of the book is, in some respects, unfortunate. The underlying principle of the whole field of the law of evidence is that of relevancy, a discussion of which is postponed until after the subjects, "Presumptions" and "Judicial Notice," have been disposed of. When the subject of "Relevancy" is treated, we do not find the "Res Gestæ Rule" until five chapters, to wit: "Burden of Proof," "Best Evidence," "Substance of the Issue," "Admissions" and "Hearsay" have intervened in the order named.

The title "Presumptions" has been accorded special emphasis by the author. In the two hundred pages which it covers, it would seem that the applications of the general rules have been almost unnecessarily multiplied. In some instances, the illustrations would more naturally fall under a discussion of the law relating to the burden of proof. An example of this is seen by reference to paragraph 54.

The Chapter on "Real Evidence" is especially interesting, covering as it does a field which is entirely overlooked by Stephen and some of the other writers. The Parol Evidence Rule is likewise

well treated, and a chapter on "Depositions" is of much practical value.

The work contains in all some two thousand pages; the typography is excellent, and the method pursued of grouping the citations at the end of each paragraph is less confusing than numerous foot-notes. The volumes, three in number, are small in size, possibly too small, as their number renders a "pocket edition" out of the question.

*T. S. Gates.*